

## **REMARKS**

New claims 51-65 have been added. No new matter has been added. Reexamination and reconsideration of the claims as requested is respectfully requested.

Applicant thanks the Examiner for allowing time to conduct an interview for this application.

The "determining" step finds support in the original specification at page 2, line 49 - page 3, line 11. This section indicates that the invention "ensures" that the critical pressure is not exceeded. The section also makes it clear that the pump controller controls the pump in such a way that this the pressure does not "exceed the surface tension of the first medium" (i.e., exceed the "critical pressure"). It is necessary that the invention "ensure" that the pressure does not exceed the critical pressure, which would require that the critical pressure be determined. Clearly, the pump controller is controlled to "ensure" that the pressure does not exceed the critical pressure. Therefore, it would be understood by one of ordinary skill in the art that determining the critical pressure is necessary and is enabled.

With respect to whether the inventive method is performed in an automated or manual manner, the specification provides support for the overall process (presumably including "determining" the critical pressure) is automated -- see page 8, lines 1-2. Also, there is some indication both in the section cited above with respect to the determining step, and in the original claim 6 that this function is carried out by the pump controller. This is covered by claims 52 and 60 in the new set of claims, which may be incorporated into the independent claims, if necessary. Applicant asserts that the

inventive method may be performed either manually or in an automated way; both of which are well within the understanding of the skilled artisan when in possession of the present specification and claims.

None of the prior art of record determines a critical pressure at which the surface tension would be overcome, or controls the pump so that the negative pressure does not go below this critical pressure.

### **CONCLUSION**

In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. The amendments clarify the patentable invention without adding new subject matter. Applicant respectfully requests favorable reconsideration and allowance of all pending claims.


If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Jeffrey R. Stone at (612) 436-3151.

Respectfully submitted,

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Date: August 21, 2008

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